



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, DC 20240



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PEP - ENVIRONMENTAL STATEMENT MEMORANDUM NO. ESM04-8

To: Heads of Bureaus and Offices

From: Willie R. Taylor, Director
Office of Environmental Policy and Compliance

Subject: Other Environmental Review and Consultation Requirements

This memorandum is issued pursuant to 516 DM 4.17 and 4.24 and supplements Section 1502.25 of the CEQ Regulations.

Attached is a list of other environmental review and consultation requirements which, to the fullest extent possible, should be integrated with the NEPA process.

This memorandum replaces ESM94-14.

Attachment

ATTACHMENT TO ESM04-8

List of Other Environmental Review and Consultation Requirements

1. Cultural Resources

Archeological Resources Protection Act of 1979

16 U.S.C. sec. 470aa et seq.

Archeological and Historic Preservation Act of 1974

16 U.S.C. sec. 469a-1

National Historic Preservation Act of 1966 (sec. 106)

16 U.S.C. sec. 470f et seq.

Antiquities Act of 1906

16 U.S.C. sec. 431

Executive Order 11593 (Protection and Enhancement of the Cultural Environment) May 13, 1971

American Indian Religious Freedom Act

42 U.S.C. 1996

Executive Order 12898 (Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations) February 11, 1994

Executive Order 13007 (Indian Sacred Sites) May 24, 1996

2. Water and Related Land Resources

Marine Protection, Research and Sanctuaries Act of 1972 (sec. 102, 103, 301)

16 U.S.C. sec. 1431 et seq.

Safe Drinking Water Act of 1974

42 U.S.C. sec. 300f et seq.

Flood Disaster Protection Act of 1973

12 U.S.C. sec. 24, 1701-1 Supp

42 U.S.C. sec. 4001 et seq.

Watershed Protection and Flood Prevention Act

16 U.S.C. 1001 et seq.

Coastal Zone Management Act of 1972
16 U.S.C. sec. 1451 et seq.

Coastal Barriers Resources Act
16 U.S.C. 3501 et seq.

Estuary Protection Act
16 U.S.C. sec. 1221

Executive Order 11988 (Floodplain Management)

Executive Order 11990 (Wetlands Protection)

Federal Water Project Recreation Act (Sec. 6(a))
16 U.S.C. sec. 4601-21

Clean Water Act
33 U.S.C. sec. 1251 et seq.

Rivers and Harbors Act of 1899 (sec. 9 and 10)
33 U.S.C. sec. 401 et seq.

Wild and Scenic Rivers Act of 1968 (sec. 7)
16 U.S.C. sec. 1274 et seq.

Federal Power Act
16 U.S.C. sec. 797

Water Resources Planning Act of 1965
42 U.S.C. sec. 1962 et seq.

Water Resources Council's Economic and Environmental Principles and Guidelines for Water and Related Land Resources Implementation Studies

3. Wildlife

Migratory Bird Treaty Act
16 U.S.C. 703 et seq.

Bald Eagle Protection Act of 1973
16 U.S.C. 668

Endangered Species Act of 1973 (sec. 7)

16 U.S.C. sec. 1531 et seq.

Fish and Wildlife Coordination Act

16 U.S.C. sec. 661, 662

Fish and Wildlife Conservation at Small Watershed Projects

16 U.S.C. sec. 1001, 1005(4), 1008

Marine Mammal Protection Act

16 U.S.C. sec. 1361 et seq.

Anadromous Fish Conservation Act

16 U.S.C. 757

4. Public Lands, Open Space, Recreation

Federal Land Policy and Management Act

43 U.S.C. sec. 1701, 1761-1771

Mineral Leasing Act Amendments of 1973

30 U.S.C. sec. 185

Federal Coal Leasing Amendments Act of 1976

30 U.S.C. sec. 201(a)

Forest and Rangeland Renewable Resources Act

16 U.S.C. sec. 1601 et seq.

Land and Water Conservation Fund Act of 1965 (sec. 6(f))

16 U.S.C. sec. 4601-8(f) et seq.

Open Space Lands

42 U.S.C. sec. 1500a(d)

Urban Park and Recreation Recovery Act

16 U.S.C. sec. 2501 et seq.

National Trails System Act

16 U.S.C. sec. 1241

Wilderness Act

16 U.S.C. sec. 1131-1136

Federal Surplus Lands for Parks and Recreation Act of 1970 P.L.91-485

Recreation Demonstration Projects Act
56 Stat. 326

Alaska National Interest Lands Conservation Act
94 Stat. 2371

Executive Orders 11644 and 11989 (Off-Road Vehicles)
5. Marine Resources

Deepwater Port Act
33 U.S.C. sec. 1501, 1503-1505

Ocean Dumping
33 U.S.C. sec. 1401, 1412, 1413, 1414

Marine Protection, Research and Sanctuaries Act
16 U.S.C. sec. 1431-1434

Outer Continental Shelf Lands Act
43 U.S.C. sec. 1331-1356, 1801-1866

6. Transportation

Department of Transportation Act of 1968 (sec. 4(f))
49 U.S.C. sec. 1653(f)

Federal Aid Highway Act of 1958
23 U.S.C. sec. 128, 138, 155

Urban Mass Transportation Act of 1964
49 U.S.C. sec. 1602, 1610

Airport and Airway Development Act of 1970
49 U.S.C. sec. 1716

Federal Aviation Act
49 U.S.C. sec. 3334

Railroad Revitalization and Regulatory Reform Act of 1976
49 U.S.C. 801

7. Air Quality

Clean Air Act

42 U.S.C. sec. 7401 et seq.

Outer Continental Shelf Lands Act

43 U.S.C. sec. 1331-1356

§. Miscellaneous

Intergovernmental Coordination Act of 1968

42 U.S.C. sec. 4201, 4231, 4233

(including urban impact analysis)

Executive Orders 12372 and 12416 - Intergovernmental Review of Federal Programs

Demonstration Cities and Metropolitan Development Act of 1966

42 U.S.C. sec. 3334

Surface Mining Control and Reclamation Act of 1977

30 U.S.C. sec. 1201 et seq.

Resources Conservation and Recovery Act of 1976

42 U.S.C. sec. 3251 et seq.

Noise Control Act of 1972, as amended

42 U.S.C. sec. 4901 et seq.

Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970

42 U.S.C. 4601 et seq.

Federal Insecticide, Fungicide and Rodenticide Act

7 U.S.C. 136 et seq.

Comprehensive Environmental Response, Compensation and Liability Act of 1980

42 U.S.C. 9601 et seq.

Notes:

1. This attachment may be updated as necessary without revising the entire ESM.
2. This attachment is dated: November 1, 2004.